

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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TIMOTHY MORGAN, Individually and On Behalf of)
All Others Similarly Situated,)
) Civil Docket for Case No.:
Plaintiff,) 1:03-CV-12529-JLT
)
v.)
)
NETWORK ENGINES, INC., JOHN CURTIS,) Hon. Joseph L. Tauro
DOUGLAS G. BRYANT and LAWRENCE A.)
GENOVESI,)
)
Defendants.)

_____ x
(Additional captions on following page)

[PROPOSED] ORDER CONSOLIDATING THE RELATED ACTIONS,
APPOINTING THE O'NEIL GROUP AS LEAD PLAINTIFF AND APPROVING
LEAD PLAINTIFF'S SELECTION OF LEAD COUNSEL

GORDON A. PRICE, On Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,
DOUGLAS G. BRYANT and LAWRENCE A.
GENOVESI,

Defendants.

x
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) Civil Docket for Case No.:
) 1:04-CV-10008-MLW
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) Hon. Mark L. Wolf
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EDWIN POWELL MILLER, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,
DOUGLAS G. BRYANT and LAWRENCE A.
GENOVESI,

Defendants.

x
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) Civil Docket for Case No.:
) 1:04-CV-10022-JLT
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) Hon. Joseph L. Tauro
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DAVID DUBROW, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,
DOUGLAS G. BRYANT and LAWRENCE A.
GENOVESI,

Defendants.

x
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) Civil Docket for Case No.:
) 1:04-CV-10096-JLT
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) Hon. Joseph L. Tauro
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KEVIN DENHA, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,
DOUGLAS G. BRYANT and LAWRENCE A.
GENOVESI,

Defendants.

x
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) Civil Docket for Case No.:
) 1:04-CV-10228-JLT
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) Hon. Joseph L. Tauro
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WING KAM YU, On Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

v.

NETWORK ENGINES, INC., JOHN CURTIS,
DOUGLAS G. BRYANT and LAWRENCE A.
GENOVESI,

Defendants.

x
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) Civil Docket for Case No.:
) 1:04-CV-10238-DPW
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) Hon. Douglas P. Woodlock
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Upon consideration of the motion of the O'Neil Group ("Movant" or "O'Neil Group") for consolidation of the related actions, appointment as Lead Plaintiff and approval of selection of Lead Counsel, the Memorandum of Law, and the Declaration of Christopher Keller in support thereof, and for good cause shown, IT IS HEREBY ORDERED THAT:

1. The Motion of the O'Neil Group is GRANTED;
2. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the above-captioned cases, and any subsequently filed or transferred actions on behalf of a class that purchased or otherwise acquired shares of Network Engines, Inc. are hereby CONSOLIDATED under Master File No. 03-CV-12529 and shall bear the caption "In re Network Engines, Inc. Securities Litigation;"
3. The O'Neil Group is APPOINTED to serve as lead plaintiff, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B); and
4. The selection of counsel by the O'Neil Group is APPROVED and the Law Firm of Goodkind Labaton Rudoff & Sucharow LLP is hereby APPOINTED as Lead Counsel.

This __ day of _____, 2004.

United States District Judge